

From: JJeffery
To: Microsoft ATR
Date: 11/27/01 6:33pm
Subject: The DOJ has sold out

It is my understanding that the role of the DOJ is to uphold and enforce the law. The proposed settlement for the Microsoft AntiTrust case shows that the DOJ is not willing uphold or enforce the law.

Microsoft has for years unlawfully used its monopoly to dominate each market it enters and to crush competitors unfairly. It has repeatedly done this. But perhaps the most unfortunate fact that has come to light in all of this is that the DOJ is unwilling to uphold and enforce the law where Microsoft is concerned. It seems that the DOJ is too timid to do more than slap the wrists of a company that consistently abuses its monopoly power.

When someone or some company violates the law, there are supposed to be punishments and penalties applied that are supposed to ensure that the behavior is not repeated. There is nothing in the proposed agreement that would even make Microsoft pause or even think twice in its course to dominate any market it enters. There is no real fiscal penalty -- everything Microsoft has spent on this trial and everything proposed in the settlement are no more than a minor business expenses which Microsoft views as a cost of doing business. There is nothing that would help restore competition to a more even keel. There is nothing to prevent a repetition of events or a similar sequence of events from happening in any market. There is nothing that would help undo the damage and harm that has been caused or prevent such from happening again.

I would hope that someone in the DOJ would wake up and realize that this proposed settlement is no more than a light slap on the wrist with a license to repeat illegal behavior -- just like the '95 settlement. The worst thing that can happen for our country and for the computer industry as a whole is for a repeat of the '95 settlement to occur. Yet, that is what has been proposed. Please find it in your hearts the courage that it takes to uphold and enforce the law. Make the name of the DOJ mean that it will obtain justice when the law is violated.

Sincerely,

- Johan Jeffery